

REMARKS

Responsive to the Office Action dated October 4, 2000, applicants have amended the specification and claims. Claims 1-4 are amended. Claims 5-6 were previously cancelled without prejudice. New claims 7-9 are added. No new matter is added. Claims 1-4 and 7-8 are now pending. The Examiner also noted that the claimed invention is free of prior art. Reconsideration is respectfully requested in view of the above amendments and the following remarks.

The Examiner rejects claims 1-4 under 35 U.S.C. §112, second paragraph, as being indefinite with respect to the terms "measuring said RT-PCR product" in claim 1, "electrophorizing said RT-PCR" in claim 3, and "about" in claim 4. In response to the Examiner's rejection, applicants have amended the above terms in accordance with the Examiner's suggestion. The term "measuring said RT-PCR product" has been changed to "measuring the amount of said RT-PCR product to determine the reduction of said RT-PCR product"; the term "electrophorizing said RT-PCR" has been changed to "the reduction of the amount of said RT-PCR product is determined by eletroporation"; the term "about" has been deleted. The rejection to the term "Product R" under the §112, second paragraph, will be addressed as follows together with the rejection under §112, first paragraph.

The Examiner also rejects claims 1-4 under 35 U.S.C. §112, first paragraph, as being non-enabling on the grounds that the composition of Product R is not disclosed and that the properties of RT-PCR product of the human HIV coreceptor to be measured is not indicated.

With respect to "Product R", applicants has amended the specification to incorporate another U.S. patent application Serial No. 09/344,095 by reference, which fully describes the

physical and chemical properties of Product R. Thus, the present application contains sufficient information about Product R to enable a person of ordinary skill in the art to practice the claimed invention.

It should be noted that Product R can be defined by its processes of manufacture. Such definition is permissible in patent applications. *See* MPEP 608.01(v). The two processes of manufacturing Product R are described both in the present and in the U.S. patent application Serial No. 09/344,095. These two processes differ in the step of RNA digestion. The RNA used in the present invention is subject to a complete digestion by sodium hydroxide in one embodiment and by hydrochloric acid in another to produce single or di-nucleotides. The ultimate products from these two RNA digestion methods have been proven to be the same despite the differences in the processes. Product R's physical and chemical properties disclosed in the U.S. patent application Serial No. 09/344,095 are inherent properties resulting from its processes of manufacture so that they are not new matter for the purpose of the present amendment. Thus, Product R is sufficiently described in the specification so as to enable a person of ordinary skill in the art to make and use the claimed invention in view of the described processes and the U.S. patent application Serial No. 09/344,095, which is incorporated by reference herein.

With respect to the measurement of the RT-PCR product to determine the down-regulation of the gene expression of the HIV coreceptor, applicants have amended the claim to indicate that the measurement is designed to measure the reduction of the amount of the gene expression product by PCR technique. The manner of such measurement is specifically described in the specification, page 14, lines 10-16, the result of which is shown in the drawings, wherein the gene expression of the HIV coreceptor is reduced in a dose-dependent



manner, i.e. the gene expression decreases as the amount of Product R is increased. Noted, measurement of RT-PCR products including the present RT-PCR products of the HIV coreceptor can be performed by a number of well established techniques. Since measurement of PR-PCR products can be performed routinely by a person of ordinary skill in the art, applicants believe that it is unnecessary to recite a specific manner of such measurement of the RT-PCR product in the claim, particularly, the specification (page 14) adequately teaches such measurement.

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Accordingly, the rejections under 35 U.S.C. § 112, first and second paragraphs, have been overcome and should be withdrawn. Applicants respectfully request an allowance of the claims.

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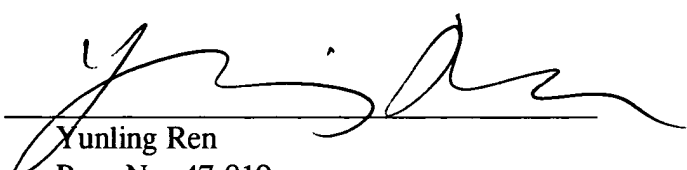
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It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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